

Project Coordinator
Sue Smith
to:
Deborah Hilsman, Carlo Bertani
03/24/2010 02:45 PM
Cc:
"Michael Chun"
Please respond to sue
Show Details

History: This message has been replied to.
Deborah, Carlo:

This is our notice in writing that Mike Chun of AEG will be the Project Coordinator for our AOC.

Thank you,

Sue Smith
R.H. Smith Distributing Co., Inc.
509-882-3377 x106



Re: Smitty's AOC
Sue Smith to: Deborah Hilsman
Please respond to sue

03/24/2010 12:10 PM

History: This message has been replied to.

We received the packet and Doug has signed it. We can send just that page back, right?

Sue Smith
R.H. Smith Distributing Co., Inc.
509-882-3377 x106

From: Hilsman.Deborah@epamail.epa.gov
To: sue@rhsmith.com
Cc: Bertani.Carlo@epamail.epa.gov
Sent: Mon, 22 Mar 2010 14:09:24 -0700
Subject: Re: Smitty's AOC

Sue,

Attached is the final administrative order on consent (AOC) that has been approved by EPA management. It contains the changes to deadlines in paragraphs 6.1, 6.2, and 6.3 that you requested, as well as changes to the submittal summary in paragraph 25, making those dates consistent with the new dates. I've also inserted an EPA docket number, your name and address to receive notifications in paragraph 15.1, Douglas M. Smith to the signature line on p.29, and made a few minor edits recommended by EPA management. I've attached an edited version of the final AOC so that you can easily see where changes were made to the draft AOC sent to you in January.

The original AOC is being sent today via overnight mail addressed to Douglas Smith for his signature. If it does not arrive by the time you all leave on Wednesday, then please print the pdf of the final AOC, have Douglas sign the signature page and mail it back to me before you leave. I will then forward the document to the EPA Office Director for signature. After the office director signs the AOC, a conformed copy will be mailed to you by certified mail.

Please contact me with any questions. Thank you for your cooperation.

Deborah Hilsman
Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 10

1200 Sixth Avenue, Suite 900, ORC-158
Seattle, WA 98101-3140
206-553-1810
206-553-0163 (fax)
hilsman.deborah@epa.gov

(See attached file: Smitty's AOC Final.pdf)(See attached file: Smitty's
AOC Final edited.pdf)



Sue Smith to: Deborah Hilsman, Carlo Bertani

03/12/2010 11:21 AM

Cc: "Michael Chun", Doug, "Rod Smith"

Please respond to sue

History: This message has been replied to.

Deborah, Carlo:

I have attached the one page of the AOC changes we would like to make. I apologize for the last-minute nature of this change, but there was some confusion on my part. Although our consultant, Mike Chun, has already been discussing the work plan with Carlo, we would like to extend the time requirement from 30 days to 90 in paragraph 6.1. Then it would follow that the submittal would be 30 days after that, or 120 days from the effective date of this order. Mike has stated that implementation of the plan should be approximately one year after approval in order to have 4 quarters of data, hence the change from 30 days to one year in paragraph 6.3.

Other than the time changes, I really don't have a problem with the rest of the order. Please call me after you have had a chance to discuss this.

Thank you,

Sue Smith
R.H. Smith Distributing Co., Inc.
509-882-3377 x106



Toppenish AOC change.jpg



Toppenish AOC

Sue Smith to: Deborah Hilsman

Cc: Carlo Bertani, "Michael Chun" , Doug, "Rod Smith"

Please respond to sue

01/27/2010 11:29 AM

History: This message has been replied to.

Deborah:

I am writing to give you notice that we are interested in entering into an AOC with EPA "along the lines" of the one we received on January 7, 2010, for the property at 102 E. Toppenish Ave, Toppenish, WA.

Sue Smith

R.H. Smith Distributing Co., Inc.

509-882-3377 x106

5.4. The actions required by this Order are necessary to adequately protect human health and the environment.

VI. WORK TO BE PERFORMED

Pursuant to RCRA Section 9003(h)(4), 42 U.S.C. § 6991b(h)(4), Respondent agrees and is hereby ordered to perform the following acts in the manner and by the dates specified herein. All work undertaken pursuant to this Order shall be performed in a manner consistent with Subtitle I of RCRA, 42 U.S.C. § 6991 *et seq.*, and its implementing regulations at 40 C.F.R. Part 280, and with relevant EPA guidance documents.

6.1. Within thirty ⁹⁰~~(30)~~ days of the effective date of this Order, Respondent shall develop a Site Assessment Plan for the facility.

6.2. Within sixty ¹²⁰~~(60)~~ days of the effective date of this Order, Respondent shall submit to EPA Region 10 an approvable Corrective Action Plan ("CAP") incorporating the Site Assessment Plan that will prevent or mitigate any migration of petroleum constituents released from the USTs formerly located at the facility, and a schedule for implementing the CAP.

6.3. Within thirty ^{1 yr.}~~(30)~~ days after the CAP is approved by EPA, Respondent shall implement the approved CAP at the facility according to the schedule in the approved CAP.

VII. AGENCY APPROVALS/SUBMITTALS/PROPOSED CONTRACTOR/ ADDITIONAL WORK

A. EPA APPROVALS